## NEW YORK HERALD.

JAMES GORDON BENNETT. OPELETOR AND EDITOR

PPICE R. W. CORNER OF WASSAU AND FULTON STS. No. 62

BROAD WAY THEATER, Broad way. HERRE THE HUNTER

MEBLO'S GARDEN, Broadway - SECRET MARRIAGE - THERE BURTON'S THEATRE, Chambers street-Winter's Talk

LAURA KRENE'S VARIETIES, Broadway-Two Loves WALLACK'S THEATRE, Broadway-Game or Lars-Po-

BROADWAY VARIETIES, 472 Broadway-Black Eyes

WOOD'S MINSTRELS, 444 Broadway—Britiopian Per-FORMANCES—HAPPY MAN, OR TREATY WITH JAPAN.

BUCKLEY'S BURLESQUE OPERA HOUSE, 539 Broad ATHEN &UM. NO. 554 Breadway—PANORAMIC PIC

GRY ASSEMBLY ROOMS, Broadway—Complimentary and Parewell Benedit Concert to Paul Julien.

New York, Monday, March 3, 1856.

## The News.

The Baltic is now in her twelfth day out from hiverpool. She brings advices from Europe to the

Advices from South America, by way of England, are dated at Buenos Ayres on 2d; Montevideo, 5th; Bio Janeiro, 15th; Bahia, 19th; and Pernambuco, 22d of January. Specie and diamonds valued at 250,000 had been received in England. Things were dull and gloomy in Buenos Ayres. Flores had again invaded the country. He landed at Las Pie. as, with four or five other chiefs, and on Christ mas day arrived at Arroyo del Medio, the boundary line between Sante Fe and Buenos Avres. After halting here some time and measuring the force they would have to encounter, the party leaders ddenly broke up and dispersed, Flores shaping his course South, in the direction of Pergamino. A strong force was about to attack the Indians in the South. Trade was much depressed, owing to the war movements and preparations. Articles of daily consumption were heavy. Large contracts for hides had been made. Shipping trade transactions were few and not remunerative. The money market in Buenos Ayres oscillated very much daily. In Montevideo anarchy, confusion and social disorder prevailed in every form. Cholera had disappeared from Rio Jasiness prospects were lighter, and trade was expected to revive there soon. Interesting statistics of the imposts and exports during the year 1855 are given. the Bahia markets dry goods, flour and flah were abundant. Coffee was in good demand, and cocoa eagerly sought for. In Pernambuco there had been heavy sales made during January. Flour moved off slowly; sugar was looking up a little; charters for freight were very heavy.

Our Havana correspondent, writing on the 25th

of February, announces the landing, from the British ship Australia, of three hundred and fifty-eight Africans, who are called apprentices, but are in reality slaves, uncared for and hopeless. The unfortunates were shipped by a company chartered in Madrid. The British arbitrator in the mixed Spanish commission, organized under the slavery ion treaty, had also arrived. The officers of the United States sloop-of-war Cyane had been entertained at the palace previous to sailing on a cruise. The steamship Pelago got ashore a few days before, in the bay of Neuvitas when, after an altercation, the engineer shot the captain and killed him. The second mate immediately discharged a pistol and killed the the island. The Archbishop of Santiago was recovering from the wounds inflicted on him lately by assin. There had been some grand military fetes in Havana, and a description of the light artillery of the island is given. The peace news from Europe was well received. Sugars advanced. The city of Havana was healthy.

Our correspondence from Albany, published elsewhere, is very copious and more than ordinarily interesting, as it presents a most complete resumé of all the matters which engage the attention of the executive government, or are transpiring before the Legislature. Only one town in the State has paid anything into the treasury of the mill and a quarter tax, and the Comptroller has been forced to borrow from day to day in order that the government might be enabled to go on. Members had been liberally supplying themselves to some hundreds of volumes of the colonial history, printed at the expense of the State. An exciting debate took place in the Assembly on the question of referring the New York Tax bill to a select committee, composed of two city and three country members. After Messra. Anthon, Duganne, Baily and others had spoken, the matter was referred to the Committee on Cities and Villages. It was proposed to erect a monument to the memory of Tom Paine, in his character of a propagandist of revolution, but the motion was lost.

About twenty pages of the Canal Commissioners' report are wanting. They contain important tables, giving the cost of repairing the works. A full report of the speeches of Messrs. Anthon and Mallory on the Tax bill reference are given with the repor of the Select Committee of the House, recom. mending the repeal of the present Prohihitory Liquor law. The appeal of Major Cocks to the Commander-in-Chief from the action of General Hall in causing his arrest, has brought forth the important military decision that brigade majors are responsible to the Commander-in-Chief alone. A spicy correspondence between General Sandford and the Adjutant General in relation to this matter is given. The canal claimants and lobby men were exceedingly active. Details of their manœuvres are reported. Mr. Rielly, of New York, has proposed new bill for the regulation of our city gas companies, whilst other members have proposed measures for the purpose of creating another city park here; abolishing the business of pawnbroking; regulating the carriage of gunpowder; regulating savings banks, insurance deposits, and establishing an hospital for Jews in New York.

It will be seen by a report, given in another column, of the Committee on Ordinances of the Beard of Aldermen, held on Saturday afternoon, that the subject of a new contract to remove the offal of the city, augurs fair for a considerable pre-Miminary squabble at least. It is to be hoped it will mot reach in durance the Reynolds contract liti-

The brig Linden, from New Orleans, for New York, with a cargo of sugar and molasses, went on those, about one mile north of Squan inlet, at two 'clock on Sunday morning. The crew were saved. t last accounts she had nine feet of water in her.

the Delaware river is now navigable, after an emt asgo of ice since the 1st of January. There were westerday about one hundred and fifty vessels in the goadstead at the Delaware Breakwater, waiting ste um to tow them up to the city. At Baltimore navigat ion was resumed yesterday.

The va tae of foreign goods imported at Boston during to week ending Feb. 29 amounted to

The sales o f cotton were active Saturday, and the market closed firm. The transactions embraced about 3,000 be les. Flour and grain were without change of mom ent, while transactions were light, as dealers were waiting steamer's letters. Pork, owing to the larg v stock on the 1st instant, fell off, and mess sold at \$16 31 a \$16 374, closing dull at the former figure. Lard was dull, at 10 ic. for fair to good. A fair business was done in sugars and coffee, at firm rates. Freights were unchanged, while engagements were moderate, as shippers were waiting the receipt of private letters.

Perhaps no political dogma has ever per-formed so little beneficial service or given birth to more errors than what we deno the Monroe doctrine. It originated with the fifth President of the United States, who avowed it to be the permanent policy of the federal Union to prevent, if need be, by force, European colonization on this continent. It is true, we have quibbled a little amongst surselves about the object and extent or scope of that declaration-a work of folly, for the avowal itself was but an irresponsible speech from an individual who had many equals in his day and who has been succeeded by superiors. The declaration itself, however, was well enoughit was no more, perhaps, than a fair expression of the popular mind of this country. It meant non-intervention, and was of course as significant in what it did not as what it did express. We exacted by it that European governments should not intermeddle in American affairs, and we conceded by this exaction that we would not intermeddle in European affairs. Thus we undertook in respect to this con-

cession an impossible and very absurd work. We might have the physical power to carry out the declaration so far as this continent is concerned; but it was neither wise or possible to avoid intervening in affairs on the other side of the water. From the moment our government became organized, we gave unmistakeable signs of commercial enterprise—of general maritime energy. We became at once connected with all the States of Christendom in the operations of trade; and it is but fair to claim that we have been largely instrumental in removing the shackles of international intercourse, and of binding nations together by the ties of interest and of friendly brotherhood. We have done as much, and perhaps more, to discredit the savage remedies of war, by exalting the avocations and securing the profits of industry, as any other people. The fruits of this policy are seen in the rapid extension of our commerce, in the removal of restrictions upon navigation by all the maritime governments of the world; in the prosperity of industry, in prolonged peace between States; in the unpopularity of war, which signifies the increasing power of the people in the control

The doctrine of political and territorial exemption on this side of the water was all well enough then, unless it was made to interdict the expression of American ideas in the concerns of Europe. We have, by our enterprise and by the interests of commerce, which may be denominated an international institution, drawing to itself the right to be heard in the councils of nations, fairly won the privilege of being recognized and regarded in those coun-

Mr. Marcy's reasoning on the Sound dues, in his despatch on the balance of power in Europe, is a contradiction in itself. The United States must now, or very soon, take a deep interest in the balance of power, as it is called, because it is a part of the great maritime movement of the world; and, adjusted in one way or another, it is to be seriously prejudicial or favorable to the commerce of our people. Mr. Marcy, in this respect, has fallen far short of that enlightened statesmanship which ought to distinguish the presiding officer of our foreign affairs. He seems wholly to have forgotten or overlooked the great fact which is exhibited all over the world at the present moment, that maritime affairs and interests are winning control, to a considerable extent, over the deliberations of governments. Commerce is an institution which has only been distinctly recognized as a power in the State within the last fifty years; and it not only has shown that it ought to be heard in the management of public concerns, but has made itself felt whenever its interests have been sacrificed

or its rights violated. The government of the United States, dessions directly interfered in the affairs of Europe, in behalf of American commerce. The very birth of the American government gave rise to a war between England and France, involving the European doctrines concerning the rights of neutrals. The United States at once asserted the principle that " free ships make free goods;" and in 1785 we negotiated a treaty with Prussia, recognizing it; and previously, in 1780, the Empress Catharine II. of Russia had communicated to the different belligerent and neutral Powers the famous declaration of neutrality, which was at the time assented to by France, Spain and this government, as belligerents; and Denmark, Sweden, Prussia, Holland, the Emperor of Germany, Portugal and Naples, as neutral Powers. England refused still to admit this innovation, and appealed to the" principles generally acknowledged as the law of nations, being the only law between Powers when no treaties subsist." Our negotiations and wars with the Algerines-our decided attitude upon the Sound dues, are interventions in the face of Mr. Marcy's elaborated argument to prove the non-intervention of our government in European matters. The embargo and non-intercourse which preceded the war of 1812, were remedies applied to the series of harsh and illegal measures adopted by England and by Napoleon aminst the commerce of the United States. Even at so early period as the commencement of the present century the whole powers of our then feeble administration were directed to securing the freedom of the seas, as the great highway of nations, and as the means of commercial intercourse of civilized States. The pretensions of England to control the Nau Seas, and everywhere to exercise an absolute supremacy over the ocean, was promptly rejected by this government, in obedience to the demands of its commerce. The impressment of our seamen and the violation of our flag were resisted by war, and followed by their practical abandonment by our great maritime rival. All these things signalize our intervention in European affairs, and they evince a settled purpose by the American people, on all proper occasions to demand a hearing when any great move ment affecting States is contemplated. Our policy must needs cover all the grounds upon which we have material interests. Our influence must be exerted on all occasions involving the legal rights of our people; and it is obvious, from a single glance at the trade of the world, and much more by a tolerable foresight of the future, that our citizens, our ships and

our property are to be found on all the oceans.

and in nearly all the ports of the globe. When

the laws of commerce have been violated we

have exacted restitution and the payment of

damages. Both France and England are espe-

cial examples of submission to the demands of

our government in this respect. In truth. le career as a nation has been signalized by intervention in European affairs. We have coured essential modifications in what has seen received as the public law of nations and this is the highest possible example of intervention. All experience and all rational calculations concerning the future, alike teach us that we cannot subaist as a Power without constant interference with the concerns of nations. The idea of non-intervention is no more rational than would be that of non-communion Intercourse itself signifies a right to be heard; and as an adjustment of international balance cannot be made without involving the material interests of our people, it is something more than folly for our public men to be interposing disclaimers of all right of European interference. Mr. Marcy's letter on the Kozsta affair, though it effected its object, should have been pased upon the commercial laws of nations On that foundation the position of the Pierce Sabinet would have been not only unassailable, but must have laid the foundation of important changes in the future intercourse of

By the policy we have pursued our very in lependence becomes subserviency—the asser tion of the lesser right is followed by the sacrifice of the greater. Besides, our great maritime rival is a European State, full of ambition, of power and of unscrupulous designs. She has controlled the world by her commerce and its nayal adjuncts, and it now remains to be seen whether we will contest her supremacy or not.

THEY DON'T LIKE IT .- The Seward antislavery organs find the American nomination of Mr. Fillmore a bitter dose. The Albany Journal opens the campaign against him in a regular broadside of rockets and musketry. An important element in the estimates of the Sewardites has been taken away. They virtually confess now that they had counted upon such proceedings at Philadelphia as would end in the absorption of the bulk of the Know Nothings into the Seward alliance; and that, upon this basis they had founded their hopes of electing a Northern sectional Presidential ticket. They were willing to concede to the Know Nothings all their anti-Irish Catholic and anti-alien prejudices and principles, Archbishop Hughes to the countrary notwithstanding, provided that these Know Nothings would only bow down to the same common idol of negro freedom with Master Seward's NIGGER WOR-SHIPPING conspirators. But the selection of Fillmore flings the defiance of the national Know Nothings, at least, into the teeth of Sewardism, and touches the arch-agitator in his tenderest point. Seward's organs accordingly declare that this Philadelphia nomination is but a factious diversion of a perverse faction for the success of the democratic party. It may be so; but at all events it is a movement which clips the wings of the abolition Holy Alliance, and reduces it to its natural

DEFENCE OF THE GULF TRADE.-It is understood that in lieu of the Fortification bill reported by the Military Committee of the Senate on Wednesday, and which was recommitted to them, the committee will report an amended bill to-day, embracing all fortifica tions now in progress of construction; while the Finance Committee will report an appro priation for such new works as the War Department has deemed necessary to the nationa

We perceive that attention was specially called to the Tortugas. The importance o this position is not generally known. Facing the Moro Castle, on the north side of Florida Straits, and possessing one of the most capacious harbors in the world, it as completely commands the entrance to the Gulf of Mexico as Gibraltar does the Mediterranean. The mouth of the Mississippi is here and not at the Balize. A fortification of the first class is here in course of construction. Some three hundred thousand dollars has been expended on it, and yet its isolated position, nearly one hundred miles from the shores of Florida, and its destitution of all means of defence, will, in the event of hostilities with any maritime power, render this strategetic and important position an easy prey to any petty pirate or priva-

The work should be at once completed.

Mr. GUTHRIE A HAPPY MAN.-Secretary Guthrie has some twenty-three millions surplus in the Treasury, of the care of which he has become quite exhausted. A new Gadsden treaty, a new Texas claim, a Pacific railroad, or anything that would ease him of this surplus cash, would be a great relief to him. He has also been devising, for a year or two, a modification of the tariff for the reduction of the revenues from that source, so as to diminish the accumulation of any further surplusage upon his hands. We think, therefore, that with the preparations going forward in both houses of Congress for a brush with England-pre parations in the form of bills for war steamers. bills for new fortifications, bills for furbishing up all our old army muskets, and applications from the President for confidential appropriations for the contingencies of war, Mr. Secretary Guthrie will soon be a happy man. From present appearances, at the adjournment of Congress, he will be able to clap his hands together in exultation, crying alond:-My iron poxes are all empty, and now with an easy conscience, and without fear of thieves or burglars, I can lie down at night and sleep till ten o'clock in the morning. What a bore it is to be bothered with so much dormant specie that is not our own. Let Congress act for the relief of Mr. Guthrie. Twenty-three idle millions put affoat for war steamers fortifications. fire arms, &c., would give quite an impulse to business all over the country. Let Mr. Guthrie, then, be relieved.

WHERE DO THE NIGGER WORSHIPPERS GET THEIR SUPPLIES .- We learn from competent authority that many Euporean politicians hope to hasten the dissolution of the American Union by assisting in the triumph of the Nig-GER WORSHIPPING Presidential ticket, and the leaders of the party are in active correspondence on the subject. Their supplies will come from abroad. The only hope for the Union is in the patriotism of the masses.

THE CRISIS COMING .- The coming contest for the Presidency will be the great crisis for the Union and the constitution. There is nothing but the nigger question to fight about, and the war on that subject may be, as an Ohio delegate to the Know Nothing Convention said. a war "to the knife. The ball is opened. Who can predict the result?

Some of the Old Jackson Men-Herb They Go AND THERE THEY Go .- The revulsions, revolutions, collapses and re-constructions of the political parties of the country since the palmy days of Old Hickory, have made a regu-lar slaughter house destruction of some of the most conspicuous of the old Jackson men when Jackson was a living power in the land. A few examples by way of illustration will suffice for our present purpose. Martin Van Buren, Thomas H. Benton, C. C. Cambreleng, Benjamin F. Butler, Francis P. Blair, John M. Niles, and a host of others who occupied the highest seats in the democratic synagogue under Jackson, have strayed off into the camp of the Seward Nigger Worshippers, and are now among the active leaders of this seditions Northern crusade against the peace of the South and of the Union. On the other hand, Andrew Jackson Donelson, (Jackson's adopted son and private secretary,) and an army of hard shell Jackson democrats, including forty odd thousand in the State of New York, have been acting for a year or two with the Know Nothings. The anti slavery gang were drawn off in 1848 by Van Buren in the first place, and their desertion has been confirmed by the present administration. The Donelson, or hard shell deserters, were driven into the Know Nothing ranks by the free seil Van Buren spoils policy of Pierce and Marcy. Another democratic nomination of Van Buren or Pierce, and where will the party be? Let the sachems of Tammany Hall hold an early meetg upon the subject, and give us the result.

THE PORT OF PHILADELPHIA-IMPORTANT COR RECTION.-In a brief editorial, the other day, upon the raising of the blockade of our icebound fresh water seaports, we suggested that on the 27th ultimo a passage was opened up to Philadelphia. A Philadelphia despatch, on the other hand, dated March 1, 41 P. M., states that "several steamers this morning have succeeded in effecting a passage to Marcus Hook, whence a passage to sea is uninterrupted." Also that "the steamer H. B. Beach, of New York, and several ovster boats, have succeeded in reaching the city this forenoon, and that before Monday (i. e., to-day), the detained fleet at the Breakwater and intermediate ports will reach the city. The property now affoat (that is to say, ice-bound,) is now over two millions in the Delaware, all of which is safe." It thus appears that the first opening in the late ice blockade, between Philadelphia and the ocean, was on the 1st of March, but that the regular resumption of navigation there, it was expected, would not be achieved till to-day. After being thus hermetically sealed for two long months, we are rejoiced to hear that "the navigation of the Delaware, after this winter, will never be chronicled again as obstructed by ice." Meantime, the merchants of the interior who have become wearied of waiting for the expected incoming ships at Philadelphia, have only to come over to New York, where they will find the latest European importations in store, and ready for immediate transhipment North, South, East or West.

PROGRESS OF THE STREET CLEANING.-The work goes bravely, though slowly, on. Broadway, below Fulton street, Maiden lane, Cortlandt and other streets in the lower part of the city, have been cleaned by the merchants, aided a very little by Commissioner Ebling, who engineers matters in such a way as to get a maximum of his work performed with a minimum of effort on his part.

But while this way of doing business is, no doubt, very satisfactory to Commissioner Ebling, it is not so agreeable to the public. There is a very prevalent, and, we must say, very natural, delusion abroad among our citizens, that the payment by them of \$6,500,000 per year to the city treasury entitles them to clean streets at least; and that to ask them to pay more for having special work performed argues gross mismanagement on the part of some of the heads of departments.

Meanwhile, the city remains in a shameful condition; and our only hope is, that a drenching rain will visit us and beat off the debris of the winter's storms from the streets, unless, indeed, some one should turn up and help us in this our extremity.

THE EUROPEAN PRESS .-- It is a curious fact that the independent press has grown and prospered alike in England and the United States; and in a late article in the Edinburg Review we see many points to prove this. The increase in advertising and circulation of the London Times precisely corresponds with that of the New York Herald. Both journals have worked a revolution in journalism, the effect of which is immensely beneficial to the people. Formerly the official journals were the richest and the most powerful. Now they are the poorest and the weakest. This would have been equally true with regard to the French press, had it not been muzzled by censorship and confused by revolutions. The independent newspaper is the poor man's best library.

ENGLISH INTRIGUES IN CHINA.-The British diplomats in the East have long had an eye on China. As the London Times correspondent said about Oude, it will "pay splendidly." Eagland will undoubtedly stir up the Chinese insurrection, using it to further the schemes of British filibusters, and the tattoo of Her Majesty's drums will be heard in the streets of Pekin. here's filibustering on a grand scale for you! Cuba and Central America sink into utter insignificance when compared with the Celestial Empire. Let the Brother of the Sun and Uncle of the Moon look out for his revenues. China "will pay splendidly."

EFFECT OF THE EASTERN WAR ON LITERA-TURE.—The war is generally popular with the English press, because it increases the circulation of the newspapers. The book trade languishes, and if peace does not come soon, the poets will be obliged to lay down the lyre and take up the sword. As in our Mexican war, the scene of combat is too far off to affect commercial matters; but it gives a great impulse to newspapers, and in laying the basis of a terrible revolution in Western Europe during the next season of peace.

ENGLAND IS AGAINST A WAR .- The late assertion of the English press that, as John Bull has got a fleet and nothing for it to do, he would be glad to go to war with us, is absurd. England is against a war with the United State-that is, the great conservative middle class is against it-the head and tail, the Court and the mob favor a war. So we shall find it here—the administration and the Tammany democracy having lost everything like honor. favor a war. While the great commercial and agricultural interests of the country—the only

sources of the vitality, the honor, the glory and prosperity of the republic-cry out for

THE GREAT QUESTION IN 1856 .- The great question in the coming contest is not whether Buchanan, Fillmore, Fremont, Banks, Seward, or any other man, will be elected President; not whether the democrats, the NIGGER WORSHIP-PERS or the Know Nothings will succeed, but it is a wider and more important question than either of these. It is what party, movement or series of measures will best preserve the constitution and the Union, and advance the solid interests of the country. That party which will develope the resources of the country, give us a sound and strong foreign policy, and administer the government in accordance with the ideas of its founders is the only true American party.

## THE LATEST MEWS

BY MAGNETIC AND PRINTING TELEGRAPHS.

From Washington. MR. CRAMPTON AND THE ARBITRATION CASE, ETC. Washington, March 2, \$1856.

Mr. Crampton has written a note to the editor of the National Intelligencer, stating that he was not instructed by Lord Clarendon to submit a proposition to arbitrate the Central American question, but only to inform Mr. Marcy that such a propesal had been made to Mr. Bu-

It was erroneously stated a few days since, that Mr. Williams bad sold out the contract for the House binding to Mr. Farnham. He has formed a partnership with Mr. Farnham for the execution of the work, and will remain dentified with it to its completion.

Navigation Resumed at Philadelphia and Haltimore.
THE DELAWARE RIVER OPEN—SHIPPING INTELLI-

GENCE, ETC. PHILADELPHIA, March 2—4½ P. M.
The navigation of the Delaware is at last open, after an

The steaming Baltic, Captain Kirby, came up from Newcastle last evening, bringing in tow the bark Caroline Ellons, from New Orleans. The city ice boat, Capt Kelly, and several tugs proceeded down this morning and will tow up the fleet detained at Breakwater and in-

termediate harbors. The following vessels, which have been wind bound at Delaware Breakwater, went to sea yesterday:-Schooners Maryland, Music, May Clinton, Sherwood, Father and Son, Elmira Caroline, Typhenia, E. Hotchkiss, H. W. God trey, A. Baker, Alice and Mary, John G. Wright, Joseph and Franklin, R. H. Douglass, George F. Brown, Pencas sett, John G. Ferris, F. De Row, George Luff, Cumber-land, Lochiel, Mary H. Mifllin, J. West, C. S. Watson, W. P. Phillips, and L. Hopkins.

The schooner West Dennis, two ships, six barks, fourteen brigs, and about one hundred sail of schooners are in the roadstead, awaiting steam to be towed to the

THE HARBOR AT BALTIMORE NAVIGABLE. BALTIMORE, March 2, 1856.
The Norfolk steamer arrived here at noon to-day, after

passage of eighteen hours. A large number of vessels are beating up the bay. The Wheeling river is clear of ise; no damage done. Mayoralty Nominations.

Unica, March 1, 1856. The democrats to-night nominated John Hinn Mayor, and the nigger worshippers Alick Hubbell.

PROVIDENCE, R. L. March 1, 1856. and sold at unchanged prices. Wool-The market has been firm and active at an advance. Sales for the week, 77,400 lbs. Printing cloths-Prices firm and stock light. Sales, 4,400 pieces.

CHARLESTON, March 1, 1856. Our cotton market has advanced %c., and with sales to-day of 2,500 bales.

IMPROVEMENT IN CORTLANDT, BROADWAY AND OTHER DOWN TOWN STREETS—WHO DESERVES THE CREDIT?

Some of the streets in the lower part of the city are gradually becoming passable; but if any one supposes this desirable state of things is at all due to the Commissioner of Streets and Lamps, who has an office somewhere up towards Essex market, he is decidedly mistaken. It is the business and the duty of the Commissioner to clean three to four hundred thousand dollars annually for doing the work, but what of that? Let them pay it, and then let them clean their own streets.

This is nothing more than what they have done before, are doing now, and can do again. Cortlandt out of the private pockets of the merchants and hotel keepers in the street. The same thing has been done in Dey and Liberty streets. Broadway is now clear, from Verey street to Bowling Green.
The Commissioner of Streets, after a great deal of out-

side pressure, and after the expenditure of three or four hundred dollars by private individuals, was finally perhundred domars by private anniversal, as a first suaded to pay the remaining expense of cleaning this portion of Broadway; but we understand he declares he shall do nothing further in that street. So that long barricade of mud and ice, which extends, with the exception of now and then a block, from Par place to Union square, is bound to remain there until individuals on the line of the street. Genia, Knox, and the other residents of that block have cleared Broadway between Fulton and Vesey streets; A. T. Stewart & Co., from Chambers to Reade; the proprietors of the S. Nicholas Hotel, with Tiffany & Co., and some others, From opposite the St. Nicholas, up to Prince street.
With these exceptions, and a small space in the vicinity
of the Broadway theatre, that portion below Fulton street before spoken of, and the whole of Broadway to Union square, remains, and, for aught we see, is likely to remain in statu quo—that is to say, with a ridge of mud and ice, varying from five to ten feet in height, in the middle of the street, and a narrow carriage way on each side.

Now, the whole of this obstruction might be removed.

and the street put in good order, as we have before de-monstrated in this paper, at an expense not exceeding \$6,000. Will the Commissioner of Streets do it? His Department has been under no expense for sweeping the streets for the last two or three months, and there must be a large surplus on hand. Will he devote the small sum of \$6,000 to cleaning Broadway? We pause for a

BALL AT THE ACADEMY OF MUSIC.—There is to be a ball given at the Academy of Music on the 27th inst., for the benefit of the "Nursery for the Children of the Poor." Four thousand tickets are issued, and are to be sold at two dollars each. It will be the most attractive ball of Academy on that evening will present a brilliant appearance, softened and mellowed by charity, the prime object

Naval Intelligence.

The Norfolk Herald of the 26th inst. says that the crew of the steam frigate Powhatan were to be paid off on The United States sloop-of-war Levant, Commander

Smith, sailed from Rio Janeiro on the 5th of January for

Coroners' Inquests.

SUICIDE BY TAKING POISON.—Coroner Gamble held an inquest yesterday, at No. 309 Houston street, on the body of Arthur Beanish, a German, 30 years of age, who committed suicide by taking cyanuret of pottasium. Deceased lost his wife about five months since, and has ceased lost his wife about five months since, and has been depressed in spirits from that time—he was a machinist, and worked every day at his trade. Yesterday morning, about one o'clock, he was seen to drink something out of a glass, in his bedroom, and he was dead in fifteen minutes afterwards. Dr. O'Hanlon made a post mortem examination of the body, and the jury returned a verifict that deceased came to his death by suicide, by taking cyanuret of potash.

taking cyanuret of potash.

Scaled to Death.—Coroner Gamble held an inquest yesterday, at No. 166 Eleventh street, upon the body of a child, six years of age, named Elena Roberts, who came to her death from scalon, actidentally received on the 18th mst. by the upsetting of a vessel of hot water upon her. Verdict—"Accidental death."

BURNED TO DEATH. -An inquest was also held at No. 221 West Twenty-fourth street, upon the body of a child, two years of age, named Anne Henry, who died from burns accidentally reserved by her clothes catching fire at the stove. Verdict in accordance with the above facts.

March Semion of the Co. The Board of Aldermen meet this evening, having only finished their February session on Thursday last. The public attention is anxiously set upon their movements with respect to the erection of the new City Hall; and as the matter has been reterred to a special committee of five, it is to be hoped that this great desideratum—the want of a suitable place for the transaction of law business—will be put in a fair way of being supplied. It is new over two years since the old building was burned down, and syear since the Board of Councilmen adopted a plan for a building in the Park, and yet the Aldermen seems to be insensible to the wants and wishes of their constitu insensible to the wants and winnes of their constituents, and continue inactive. In fact, they cannot boast of having done much business since the first of January; they have not as yet concurred to appropriate \$15,000 for cleaning the streets, which are still left in a fifthy and impassable state; they have concurred with the other Board to apply to the Legislature for liberty to raise \$170,000 to build an iron market in Tompkins square, the upper portion of which is to be used as an a drill room; they have remonstrated against the sale of he State Arsenal, and have concurred in asking for an ne State Arsenal, and have concurred in using for an ordinance to raise money to pay the awards made to owners of property in the Central park; they have confirmed and made several fat city appointments, and perpetrated some long speeches, which we believe is about all the value they have given the city for the last two-

We have received the subjoined note of inquiry, and we call upon the Common Council to answer our correspondent. We are unable to define their acts or to answer for their contractors. When the matter came up b Board, Alderman Tucker was the only man alive to the necessity of the appropriation, and the subject was referred to a committee, who may sleep on it. We hope it will be acted upon by the Board this evening:—

TO THE EDITOR OF THE HERALD.

Can you inform your numerous readers what has been done
with the \$15.000 granted to clear off the streets ice and show?

Up to the present time \$3,000 have not been expended. Mayor
Wood should impect the accounts, and see what has been
of the money.

The March sessions of the Board of Councilmen com-

mence this evening. The most important business likely to come before the Board this month is, first, the approto come before the Board this month is, first, the appro-priation for a new City Hall, and second, a concurrence with the Board of Aldermen in the proposal for the sale of the Brick church property. It will be recollected that the church, two years since, proposed to units with the Corporation in the sale of that property upon terms the most favorable to the city. On the recommendation of the Commissioners of the Sinking Fund this proposition was accepted, and passed the Board of Aldermen. The subject now awaits the action of the Board of Coun men. The church has been advised by the highest legal counsel that they can dispose of their property to much better advantage than by uniting with the the terms proposed; yet we understand that they are willing to adhere to their original proposition. They cannot, however, be reasonably expected to wait much longer for the action of the civil authorities, and it is to subject at the earliest moment

The March Term of the Law Courts.

the past menth, though not many of public important The Judges now sit until four o'clock, and the calendary are run down with rapidity, yet there still remain a wast amount of cases to be disposed of. The trial of the ne-gro, for scuttling the Eudora Imogene—from which the captain and crew mysteriously disappeared, and not a vestige of whom has since been found—will, in all probability, be commenced this term in the United States Circuit Court. In the State Courts, the causes are of the usual description of civil actions for damages for breach of contract, for debt and for injuries to property and

The unsettled state of the constitution of the Supreme Court Bench, in consequence of the protracted dispute between Judges Davies and Peabody for the seat, is a matter of grave complaint amongst the lawyers and liti-gants. Several important cases have been postponed, as the suitors object to go before a court which is legally composed of three judges only, but where four persist in sitting; and they deem it more prudent to "bide their time" than to run the risk of being obliged to argue their cases again de novo before a perfectly constituted tribunal. Thus the matter of the new reservoir, he long pending Carroll will case, and others of im-portance, have gone over from the February term be-cause of the doubtful authority or the Judges of the ourt of General Term then presiding. If not for the sake embarrassment until their causes are heard and adjuci-cated upon, we hope that for the honor of the Judiciary

adjusted without further delay.

The case of the people at the relation of Chas. J. Warren against Coleman & Stetson, arising out of the Pro-hibitery Liquor law, was submitted to the general term respondents, the people, set forth that the Court erred in admitting the answer of the witness Cowen to the

'Where are the best brandies made?' The Court erred in deciding that to make out the offence charged, the complair ant must prove affirmatively that the sale by the detendants was not within the exception contained in the first section of the Prohibitory law.

The Court erred in deciding that liquor imported under the laws and treaties of the United States is not embraced in the laws and treaties of the United States is not embraced in hyrothibition, but may be sold by any citizen, in any quantity and on that gro not acquitting the defendants.

If the exception in the first section shall be interpreted is include only importers' sales, then the Court erred in adjudging the defendants "Not guilty." slithough the liquor sold was imported liquor, and the Court shall hold that the complainant must negative the exception by proof.

If the statute is restrictive, as distinguished from probibitory, designed to regulate the traffic in intoxicating liquors, the general judgment of not guilty, in the Court below, should be reversed, although the provisions respecting search, science forteture, nulsance and destruction should be adjudged unson situational.

Develin submitted points, amongst which were that the incompetency of the witness to testify as to where the best brandles are made could have been shown on crossexamination. The seventeenth section of the Prohibitory sufficient to sustain an unlawful sale." But this evidently refers to the sale of liquor prohibited to be sold

dently refers to the sale of liquor prohibited to be sold by the act. They contend—

That the law is unconstitutional, and that the Legislature is a supreme but not an absolute power. It has no right to enset that what has always been known as property shall not thenceforth be property; it has no right to change the uses to which property has herestofore been put; because that property should continue such, and may be used as it always has been, are vested righte, and any legislation disturbing them is a direct violation of sec. 1. art. 1, of the Constitution of this State. (Sec. 10 of art. 1 of Constitution of United States.) The Court will not act upon this case until the question

before the Court of Appeals is adjudicated. In the case of Deputy Sheriff Carlin, convicted at the sessions for malicasance, Mr. Clinton submitted, on the part of the accused, on moving for a new trial, that-

The indictment must charge the crime with certainty and precision, and must contain a complete description of such facts and circumstances as will constitute the crime; a statement of a legal result is bad.

It was not consider the contained and indictment must be laid positively; that is, the indictment must affirm that the defendant did so and so, or that such an act happened under such and such circumstances.

defendant did so and so, or that such a fact happened under such and such circumsiances.

There is no averment (nor are there any facts in this count showing) that the defendant was required by law to deliver the horse to any par-no other than John Colling, Jr.

Independent of the istal defects in the third and other counts in the indictment, the defendant, as Deputy Sheriff or Sheriff, had a legal right to deliver the property taken on "process of replevin" to plaintiff in the action, subject to his liability in a civil swit. At all events, the doing of such an act is not a criminal offence. And that a Deputy Sheriff is the mere agent of the Sheriff. The Sheriff, and not the Deputy, is liable for the acts of the Deputy.

We hope the decisions of the General Term will not be

affected by the doubtful constitution of the Court.

The March term of the Court of Sessions opens to-day Judge Capron will continue to preside over this court until the lat of April. District Attorney Hall looks hale and hearty; and having just returned from the Pittsburg Convention, he is well posted up and prepared to proce cute roguery in all its forms.

The ball cases will be tried first, and at the head of

hese stands the indictment for bribery against Joseph . Ebling, the Commissioner of Streets and Lamps. This ase having been tried at the January term, its particuars are fresh in the minds of all. The jury failed to agree at that trial, having, as was reported, stood six for conviction and six for acquittal. The other ball cases ikely to be tried this term are those of Alderman Healy also for bribery—and of James Irving, for assault and battery upon Samuel Suydam. The gamblers are not kely to exercise the scruples of Judge Capron, or make their appearance in the court room during the term. We are informed that no arrests have been made upon the bench warrants issued against Pa; Hearne and other

The prison cases, so called, present a calendar of eightysix names, which is much smaller than usual.

The following is a list of the crimes now represented at

the Tombs, for which we are indebted to Mr. Whitteman. the Clerk of the Prison :-

Mayheim ...
Producing an abortion ...
Abandonment ...
False pretences ...
Kidnapping ...
Bigamy ...
Perjury ...
Felonious assault and battery ...

Of the murder cases, three out of the seven are con